

Rules and Regulations

THE BOARD OF COUNTY COMMISSIONERS

County of Natrona

I certify that the attached is a true and correct copy of the rules of the Board of County Commissioners, Natrona County, Wyoming relating to Alcoholic and Malt Beverages adopted in accordance with the Wyoming Administrative Procedures Act, §§16-3-101 through 16-3-115, W.S. 1977. This is an amendment adding Section 15. These rules supersede all other rules previously filed.

Prior to adoption these rules were made available for public inspection on January 30, 2005. Notices of intended adoption were mailed to all persons requesting notice of proposed rules.

The attached rules are effective immediately upon filing with the County Clerk.
Signed this 1st day of February, 2005.

Drew A. Perkins, Chairman
Natrona County Commission

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RULES OF PRACTICE AND PROCEDURE BEFORE
THE BOARD OF COUNTY COMMISSIONERS
NATRONA COUNTY, WYOMING
INVOLVING ALCOHOLIC AND MALT BEVERAGES

Section 1. Authority. These Rules of Practice and Procedure are promulgated by authority of the Wyoming Administrative Procedures Act §16-3-101 to 16-3-115 (W.S. 1977 as amended), §12-1-101 to 12-8-301 (W.S. 1977), and pursuant to Resolution of the Board of County Commissioners of Natrona County, Wyoming.

Section 2. Purpose of Rules. These Rules are intended to provide a uniform procedure by which the Board of County Commissioners can review the issuance and renewals of liquor licenses and permits permitted under Wyoming Law.

Section 3. Application of Rules. These Rules apply to the issuance of new licenses, renewals of licenses, and the issuance of permits.

Section 4. Application for Licenses.

a. General Rules

- (1) Applications for liquor license or permits are available in the office of the County Clerk.
- (2) An application for a new retail or restaurant license shall be permitted for only one (1) category license and a proposed category of license may only be applied for at a single location. No multiple applications will be accepted by the County Clerk.
- (3) Applications for all categories of licenses shall include the birthdate and social security number of all applicants, including any stockholders owning more than a 10% interest in a corporation.
- (4) No person, firm or corporation owning more than a 10% interest of an existing liquor license is permitted to apply for a second liquor license in any category, other than a malt beverage or caterers permit.
- (5) Any fees for a new liquor license shall be prorated on a 12 month basis from April 1st.
- (6) Requests for special operating hours under §12-5-101(c) (W.S. 1977) must be submitted to the Board of County Commissioners for consideration during a regular November meeting.

Section 5. Retail Liquor Licenses.

- a. Annual fee for retail liquor license shall be \$1,000.00. Fee for an additional dispensing room in the same building shall be \$1,000.00, or 2/3 of the original license fee. The additional fee for additional dispensing rooms does not apply to a business operation with convention facilities. Fee for retail license within 5 miles of a city or town shall be not less than the comparable fee charged by the adjacent town.
- b. After January 1, 1980, no retail liquor licenses shall be issued for a building located within 300 feet of a church, school, or park, without specific exemption granted by the Board of County Commissioners, following a public hearing.
- c. Applicants for a new retail liquor license, or for a transfer of an existing retail liquor license shall provide the Board of County Commissioners with a map showing the proposed location, a site plan of the proposed construction, a proposed floor plan, and a rendering of the front elevation as part of the application for license or transfer.
- d. A retail liquor license proposed to be applied to a new or remodeled building shall be issued contingent upon the actual construction or remodeling of the building.

Section 6. Restaurant Liquor Licenses.

- a. Annual fee shall be \$1,000.00, or for restaurant licenses within 5 miles of any city or town, not less than restaurant licensing fee charged by adjacent city or town, whichever fee is greater.
- b. Hours of liquor service shall be limited to those hours wherein a full food service menu is available for all customers. No alcoholic beverages will be permitted to be served in any area other than that where full service food is provided.
- c. After January 1, 1980, no restaurant liquor license shall be issued for a building located within 300 feet of a church, school or park, without specific exemption granted by the Board of County Commissioners, following a public hearing.
- d. Applicants for a restaurant liquor license to be placed in an existing restaurant shall provide a photograph of the building and the existing or proposed floor plan with the license application.

- e. Applicants applying for a restaurant liquor license in a new restaurant shall conform with the same requirements as established for a new retail liquor license facility.
 - (1) In addition, the mix dispensing area shall be separate from the food service area, and shall be a minimum of 50 square feet.
- f. Applicant shall provide to the Board of County Commissioners with the number of proposed employees, by category, that will be employed during the hours of food service (chef, salad chef, waitresses, beverage tenders, busboys, etc.) with the license application.
- g. All restaurant liquor license holders shall provide the following information prior to the renewal of liquor licenses.
 - (1) Certified list of all purchases of alcoholic beverages from the State of Wyoming Liquor Commission.
 - (2) Certified list of all sales tax collected and reported to the State Revenue Commission.
 - (3) An annual accounting statement of gross sales figured for both food service sales and alcoholic and malt beverage sales.

Section 7. Malt Beverage Permits.

- a. The annual fee for a Malt Beverage Permit shall be \$400.00.
- b. After January 1, 1980, no malt beverage permit shall be issued for a building located within 300 feet of a church, school or park, without specific exemption granted by the Board of County Commissioners, following a public hearing.
- c. Applicants for a new malt beverage permit, or for a transfer of an existing malt beverage permit, shall provide the Board of County Commissioners with a map showing the proposed location, a site plan of the proposed construction, a proposed floor plan, and a rendering of the front elevation as part of the application for license or transfer.
- d. A malt beverage permit proposed to be applied to a new or remodeled building shall be issued contingent upon the actual construction or remodeling of the building.

Section 8. Limited Retail (Private Club).

- a. The fee for private club shall be \$1,000.00 per year.
- b. Private clubs must have a membership as defined by Statute.

Section 9. Special Permits – 24 hour (Catering Permit, Malt Beverage Permit).

- a. General.
 - (1) Any application for a special permit must be submitted to the County Clerk's Office at least 14 days prior to consideration by the Board of County Commissioners.
 - (2) When the application for a special permit is received by the County Clerk, the Clerk shall mail a Notice of Application to the Health Department, Fire Warden and Sheriff. This notice shall be sent by Certified Mail, return receipt requested to insure delivery. Applicant is responsible for the costs.
- b. Catering Permit.
 - (1) Fee for Catering Permit shall be \$50.00 per event.
 - (2) Written approval for any special permit by the applicant's Licensing Authority shall be attached to application.
 - (3) In the event a Catering Permit is proposed to be utilized in or upon County facilities, a clean-up bond of \$100.00 shall be posted with the County; one-half of the clean-up bond shall be returned if the public facility is left in a clean and orderly condition. Other arrangements may be made with the appropriate County agency or board.
- c. Malt Beverage Permit.
 - (1) Malt Beverage Permit fees shall be as follows:
 - 1 – 100 people - \$35.00 per day
 - 100 people and over - \$100.00 per day
 - (2) In the event that a Malt Beverage Permit is proposed to be utilized in or upon County facilities, a clean-up bond of \$100.00 shall be posted with the County; one-half of the clean-up bond shall be returned if the public facility is left in a clean and orderly condition. Other arrangements may be made with the appropriate County agency or board.

Section 10. Resort Liquor License.

- a. Fee. The annual license fee shall be \$1,000.00. Fee for an additional dispensing room in the same building shall be \$1,000.00, or 2/3 of original licensing fee. The additional fee for additional dispensing does not apply to a business operation with convention facility.

Section 11. Amendments to Rules. These rules may be amended as provided by §16-3-103 and 104, (W.S. 1977 as amended).

Section 12. Existing Rules Proceeded. All existing rules of the Board of County Commissioners which are in conflict with these provisions are hereby superseded and shall have no force or effect.

Section 13. Severability. If any of this Resolution shall be held invalid, such part shall be deemed severable and the invalidity therefore shall not affect remaining parts of this Resolution.

Section 14. Deviation from Rules. The Board may permit deviations from these rules in-so-far as it may find compliance therewith to be impossible or impracticable.

Section 15. Young Adults prohibited on premises where alcoholic beverages are sold; exceptions:

- a. Subject to exceptions listed below, any licensee, or his agent or employees, of an establishment licensed to sell or serve beer or alcoholic beverages under a retail or club liquor license who permits a “young adult” to enter or remain in the dispensing area is guilty of a misdemeanor. Any “young adult” who enters or remains in the dispensing area is guilty of a misdemeanor. Incidental travel through the dispensing area to entrances, exits and/or restroom may be allowed. For the purposes of this Section, “Young Adult” is defined as a person between the ages of eighteen (18) and twenty-one (21).
- b. “Dispensing area” shall include the licensed dispensing room and any other rooms or areas in the structure where alcoholic beverages are served.
- c. This section shall not be construed to prohibit minors/young adults from eating meals in designated dining areas within the dispensing area, nor to prohibit minors/young adults from eating meals in a licensed private club on that portion of the premises which is primarily intended for the serving of meals (provided that such minor/young adults are a guest of a club member), but in no event later then 10:00 p.m.
- d. A licensee may admit minors/young adults in a designated dining area. Dining areas shall be clearly designated by signs or by physical barriers or

walls which separate persons in the dining area from the portion of the premises intended primarily for liquor consumption and sales. In no event shall “young adults” be seated at or within ten (10) feet of the bar or dispensing room.

- e. A retail liquor licensee may employ persons less than twenty-one (21) years of age as entertainers, kitchen staff, bus boys, waiters, waitresses, maintenance personnel, hostess/host, and cashier. The employee must be present only for the purpose of performing his/her work during normal business hours and he/she must be able to provide verification of the business purpose through his/her boss or supervisor. Other state laws or regulations may further restrict employment of young adults in licensed facilities.
- f. The employee of a company delivering goods or other services to a licensee may be on the premises for the purpose of doing bonafide work or delivering goods or other services, provided that no one under the age of eighteen (18) years of age shall be in the dispensing room. The employee must be present only for the purpose of performing his work during normal business hours and he or she must be able to provide verification of the business purpose through his/her boss or supervisor.
- g. Minors/young adults under the age of twenty-one (21) may be in the dining area when accompanied by their parent, legal guardian, or a spouse of their parent or legal guardian, but in no event later than 10:00 p.m.
- h. Nothing contained within Section 15 shall be construed to restrict minors under the age of twenty-one (21) from attending any community event such as but not limited to: street dances, charity events, banquets, weddings, fair, rodeos, demolition derby, etc.
- i. With the approval of the Board of County Commissioners, the holder of a retail liquor license may hold special events where persons under twenty-one (21) are permitted in the dispensing area. The licensee shall make application to the County Commissioners prior to the event. The application shall detail other pertinent information about the event including dates, times, locations, security measures, and measures to prevent persons under the age of twenty-one (21) from possessing or using alcoholic or malt beverages.

APPROVED this 1st day of February, 2005.

BOARD OF COUNTY COMMISSIONERS
NATRONA COUNTY, WYOMING

ATTEST:

Drew A. Perkins, Chairman

Mary Ann Collins, County Clerk